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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR07-076-JLR
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 DIANE LYNN CLAY,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
_____)

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14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on December 18, 2007. The United States was represented by AUSA Catherine Crisham for
16 Kathryn Warma and the defendant by Timothy Lohraff for Brian Tsuchida. The proceedings were
17 digitally recorded.

18 Defendant had been sentenced on or about November 26, 2007 by the Honorable James
19 L. Robart on a charge of Receipt of Stolen Government Property, and sentenced to 15 days
20 custody (with credit for time served), 3 years supervised release. (Dkt. 43)

21 The conditions of supervised release included the standard conditions plus the requirements
22 that defendant participate in substance abuse testing and treatment, abstain from alcohol, submit

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01 to search, participate in mental health treatment, pay restitution in the amount of \$2,000, provide
02 access to financial information, no new credit lines of obligations without approval of probation
03 officer, reside at Walnut Group Home and comply with their rules and continue to participate in
04 the program for drug and alcohol abuse, and do not change residence without approval of
05 probation officer.

06 In an application dated December 12, 2007 (Dkt. 44), U.S. Probation Officer Angela M.
07 McGlynn alleged the following violations of the conditions of supervised release:

08 1. Using cocaine on or about December 3, and December 9, 2007, in violation of
09 standard condition No. 7.

10 2. Failing to report for urine testing on or about December 10, 2007, in violation of
11 the special condition requiring the defendant to submit to urinalysis testing.

12 Defendant was advised in full as to those charges and as to her constitutional rights.

13 Defendant admitted the alleged violations and waived any evidentiary hearing as to
14 whether they occurred.

15 I therefore recommend the Court find defendant violated her supervised release as alleged,
16 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
17 set before Judge Robart.

18 Pending a final determination by the Court, defendant has been detained.

19 DATED this 18th day of December, 2007.

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21 Mary Alice Theiler
22 United States Magistrate Judge

cc: District Judge: Honorable James L. Robart
AUSA: Kathryn A. Warma, Catherine Crisham
Defendant's attorney: Brian A. Tsuchida, Timothy Lohraff
Probation officer: Angela M. McGlynn